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Attorneys for Nationstar Mortgage LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

WAYNE A. HAGENDORF,

Plaintiff,

v.

NATIONSTAR MORTGAGE LLC,

Defendant.

Case No.: 2:21-cv-00231-GMN-BNW

**MOTION TO WITHDRAW AS COUNSEL
FOR NATIONSTAR MORTGAGE LLC**

Akerman LLP, through undersigned counsel, moves to withdraw as counsel for Nationstar Mortgage LLC pursuant to Nevada Rule of Professional Conduct 1.16 and LR IA 11-6.

Nationstar Mortgage LLC knowingly and freely discharged Akerman as counsel. RPC 1.16(a)(3); *see In re Kaufman*, 568 P.2d 959 (Nev. 1977) (a party may discharge his or her attorney). Akerman anticipates Nationstar will retain new counsel in short order, however new counsel has not yet made an appearance or requested consent for substitution. Akerman will serve a copy of the motion on Nationstar and all parties of record. RPC 1.16(c); LR IA 11-6(b). Akerman will also provide a copy of the pleadings and other case documents to Nationstar in accordance with any legal, ethical, and contractual obligations. RPC 1.16(d). Akerman will comply with any court deadlines prior to entry of a withdrawal order or appearance by new counsel, whichever comes first, to protect Nationstar's interests. *Id.*

Good cause exists to allow Akerman's withdrawal as a result of Nationstar's discharge. RPC 1.16(a)(3). Withdrawal can be accomplished without material adverse effect to Nationstar since Nationstar's motion to dismiss is fully briefed and discovery is stayed pending adjudication of the motion to dismiss. ECF Nos. 8 & 15. Nationstar will be retaining new counsel and this action is in its infancy. This motion is not meant to delay pretrial proceedings, discovery, the trial, or any hearing in the case. Akerman does not anticipate any party will object to the withdrawal under the circumstances described herein.

Akerman respectfully requests this court grant its withdraw as counsel for Nationstar.

DATED November 4, 2021.

AKERMAN LLP

/s/ Scott R. Lachman

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Las Vegas, Nevada 89134

Attorneys for Nationstar Mortgage LLC

Order

IT IS ORDERED that ECF No. 20 is GRANTED.

IT IS FURTHER ORDERED that the Clerk of Court shall update Nationstar Mortgage LLC's address in accordance with page three of this Order.

IT IS FURTHER ORDERED that Nationstar Mortgage LLC must retain counsel and have counsel file a notice of appearance by 12/3/2021.

IT IS FURTHER ORDERED that Akerman LLP shall serve a copy of this Order on Nationstar Mortgage LLC by 11/12/2021.

IT IS SO ORDERED

DATED: 11:17 am, November 05, 2021

BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Akerman LLP, and that on the 4th day of November, 2021, I caused to be served a true and correct copy of the foregoing **MOTION TO WITHDRAW AS COUNSEL FOR NATIONSTAR MORTGAGE LLC**, in the following manner:

☒ **(ELECTRONIC SERVICE)** Pursuant to FRCP 5(b), the above referenced document was electronically filed on the date hereof with the Clerk of the Court for the United States District Court by using the Court's CM/ECF system and served through the Court's Notice of electronic filing system automatically generated to those parties registered on the Court's Master E-Service List.

☒ **(UNITED STATES MAIL)** By depositing a copy of the above-referenced document for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada, to the parties listed below at their last-known mailing addresses, on the date above written:

Nationstar Mortgage LLC
8950 Cypress Waters Blvd.
Coppell, TX 75019

☐ **(PERSONAL SERVICE)** By causing to be personally delivered a copy of the above-referenced document to the person(s) listed below: **N/A.**

☐ **(EMAIL)** By emailing (as opposed to the Court's electronic service) a true and correct copy of the above-referenced document to the person(s) listed below: **N/A.**

I declare that I am employed in the office of a member of the bar of this Court at whose discretion the service was made.

/s/ Carla Llarena
An employee of AKERMAN LLP

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